IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH,

AT HYDERABAD

THE HON'BLE SRI JUSTICE A. GOPAL REDDY

WRIT PETITION No. 6571 OF 2006

Date:18.04.2006

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BETWEEN:

Smt. Pothula Rajitha

…. PETITIONER

And

1. The Collector (Panchayat), Karimnagar District, Karimnagar, and another.

…. RESPONDENTS

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THE HON'BLE SRI JUSTICE A. GOPAL REDDY

WRIT PETITION No. 6571 OF 2006

ORDER:

By means of filing the writ petition the petitioner challenges the proceedings issued by the Collector (Panchayat), in suspending him in exercise of the powers under sub-section (6) of Section 249 of the A.P. Panchayat Raj Act, 1994 (for short 'the Act') with a direction to the Upa-Sarpanch to take charge of the office and to sign the cheques which have to be counter signed by the Mandal Parishad Development Officer, Odela.

Though several contentions are raised in the writ petition, the learned counsel for

the petitioner submitted that the petitioner failed to submit explanation to the show cause notice along with necessary records. He further contends that suffice if a direction is issued to the Collector to pass appropriate final orders on the explanation that has to be submitted by the petitioner after considering the explanation and the records, which were produced to substantiate his claim that he has not misappropriated the funds as alleged in the suspension order.

Even if no fixed period of suspension imposed on the petitioner is mentioned in the impugned proceedings, once the power is exercised under Section 249(6) of the Act, it is only for a period of three moths, which can be extended by another period of three months. In view of the same, the Collector, who suspended the petitioner, is directed to consider the explanation offered by the petitioner and the records submitted with vouchers, and pass appropriate final orders before the expiry of three months.

With the above observations, the Writ Petition is disposed of. No costs.

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(A. Gopal Reddy, J.)

18th April, 2006

Js.